

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jaimie Vernon	Team: Squad #4	CCRB Case #: 201412789	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 12/30/2014 7:28 PM	Location of Incident: Outside 1851 Westchester Avenue	Precinct: 43	18 Mo. SOL 6/30/2016	EO SOL 6/30/2016	
Date/Time CV Reported Tue, 12/30/2014 10:22 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Tue, 12/30/2014 10:22 PM		

  

Complainant/Victim	Type	Home Address

  

Subject Officer(s)	Shield	TaxID	Command
1. POM Zeeshan Ahmed	09175	935101	043 PCT

  

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Javier Perez	18458	944887	043 PCT

  

Officer(s)	Allegation	Investigator Recommendation
A.POM Zeeshan Ahmed	Abuse: PO Zeeshan Ahmed refused to provide his name and shield number to § 87(2)(b) and § 87(2)(b)	
B.POM Zeeshan Ahmed	Discourtesy: PO Zeeshan Ahmed spoke rudely to § 87(2)(b) and § 87(2)(b)	

### Case Summary

On December 30, 2014, the CCRB received the complaint of § 87(2)(b) who submitted it online (Encl. 5A-I). On January 2, 2015, she provided a phone statement (Encl. 6A). On January 7, 2015, she provided an in-person statement (Encl. 6C-D). § 87(2)(b) provided an in-person statement on January 14, 2015 (Encl. 6J).

### Civilian Statements

§ 87(2)(b) (Encl. 6C-D)

All three of § 87(2)(b)'s statements are generally consistent and are summarized below:

§ 87(2)(b) drove over to Don Luis VIP Cigars on the night of December 30, 2014. The shop is one among several on the same block, forming a small shopping complex. Finding that the curb was fully parked, § 87(2)(b) planned to ask § 87(2)(b) § 87(2)(b), to get her a few cigars, and she would pay him from her car. § 87(2)(b) did so, but found that she had given the wrong change, necessitating that she leave her car to go into the shop. § 87(2)(b) fearing a summons for double-parking, left her car and entered the shop quickly to give § 87(2)(b) the correct change (VIP Cigars receipt, Encl. 6G).

Shortly after the transaction, § 87(2)(b) who she assumed was an employee of the shop, told her that officers were giving her a summons. § 87(2)(b) quickly left the store to speak with the summoning officer. § 87(2)(b) accompanied her. They found PO Ahmed standing by § 87(2)(b)'s car, writing a summons, as PO Perez stood alongside him. They approached the officers. § 87(2)(b) asked PO Ahmed for his name and shield number, to which PO Ahmed replied, "Who wants to know?" § 87(2)(b) then went back into the shop and brought out § 87(2)(b). § 87(2)(b) told PO Ahmed that PO Ahmed has been driving his customers away because he keeps giving them summonses for double-parking. PO Ahmed responded by saying, "I don't give a fuck".

When she told PO Ahmed that she had only parked for a minute in order to buy some cigars, he told her, "I don't care if you're the fucking governor or the mayor" and that she was still going to get a summons. § 87(2)(b) and § 87(2)(b) asked both officers for their names and shield numbers, which both officers ignored. Instead, PO Perez asked them either, "Do you want our fucking address too?" or "Do you want our address too, motherfuckers?" She did not recall exactly which phrasing PO Perez used. At some point, one of the officers called someone a "fat pig". § 87(2)(b) was unsure of which officer used the term and to whom it was addressed.

After PO Ahmed finished writing the summons, he placed it on her car and drove off with PO Perez.

§ 87(2)(b) (Encl. 6J)

§ 87(2)(g) § 87(2)(b) did agree to get cigars for § 87(2)(b) while she waited inside her car, hoping to avoid getting a summons for double-parking. This was something he commonly did for his customers, as that part of Westchester Avenue, segmented by the 6 train, is too narrow for people to be able to park on the other side of the street. § 87(2)(b) did not know § 87(2)(b) by name, but said that she had

come to the store three or four times before. When he found that she had given him the wrong change, she agreed to come into the store to give him the correct change.

Shortly after, they noticed PO Ahmed and PO Perez standing near § 87(2)(b)'s car, with PO Ahmed writing a summons. They left the shop to speak to the officers, accompanied by § 87(2)(b) who was a regular patron of the shop. § 87(2)(b) and § 87(2)(b) asked PO Ahmed for his name and shield number, which PO Ahmed initially ignored. In response to another request, he told them that his name and shield number would be on the summons. § 87(2)(b) later found, when looking at the summons, that PO Ahmed wrote his tax number, not his shield number.

When § 87(2)(b) tried to explain that she was only parked for a minute, PO Ahmed told her, "I don't give a fuck if you're the president or the mayor," and that she would still get a summons.

After he issued the summons, PO Ahmed called § 87(2)(b) a "fat fuck" before he got in the car with PO Perez and drove away.

### **NYPD Statements**

#### **Subject Officer: PO Zeeshan Ahmed (Encl. 7F)**

PO Ahmed was interviewed on January 21 at the CCRB. He was assigned to Traffic Summons duty for December 30, 2014. He and PO Perez had observed § 87(2)(b)'s empty car double-parked along Westchester Avenue. He had started to write the summons when § 87(2)(b) ran out (he did not know from where), upset, and protested the summons. § 87(2)(b) came out shortly afterward from the same direction.

When § 87(2)(b) asked PO Ahmed for the first time for his name and shield number, he asked § 87(2)(b) if the car was his. When § 87(2)(b) told him no, he ignored the request and continued to write the summons. When § 87(2)(b) asked a second time, he pulled his left shirt collar toward § 87(2)(b) giving him a clear view of his nameplate and shield, which contained the requested information.

PO Ahmed only recalled interacting with one woman and one man during the incident. He denied using any profanity toward the civilians, including the alleged remarks. He did not recall what PO Perez was saying or doing during the incident.

#### **Witness Officer: PO Javier Perez (Encl. 7L)**

PO Perez was interviewed at the CCRB on January 29, 2015. On December 30, 2014, he had been initially assigned to patrol, but his assignment was later switched to accompany PO Ahmed on Traffic Summons duty. PO Perez recalled one woman and three men interacting with PO Ahmed. He remained in the car for most of the incident, and exited the vehicle only when he saw that PO Ahmed was out-numbered by four civilians, giving him concerns about PO Ahmed's safety.

He did not recall the particulars of any exchange PO Ahmed had with any of the civilians, but knew that all four civilians were protesting the summons PO Ahmed was writing. He denied interacting with any of the civilians, and denied using profanity and being asked for his name and

shield number. He also denied that PO Ahmed used profanity and that any civilian asked PO Ahmed for his name and shield number.

### **Mediation and Criminal Histories**

§ 87(2)(b) rejected mediation. [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]  
Because § 87(2)(b) could not be located over the course of the investigation, it could be determined whether he had any criminal history. A notice of claim request was sent on February 2, 2015, and its results will be added to the case file upon receipt.

### **Civilian and Officer CCRB Histories**

This is both § 87(2)(b)'s and § 87(2)(b)'s first and only CCRB complaint (Encl. 3A-B). PO Ahmed has been a member of the service for ten years and has no prior CCRB complaints raised against him (Encl. 2A).

### **Potential Issues**

The investigation has been unable to contact § 87(2)(b) as neither § 87(2)(b) nor § 87(2)(b) was able to provide the CCRB with contact information. LexisNexis and WhitePages searches produced too many results to be narrowed down. § 87(2)(b) has also not contacted the CCRB on his own accord. The specific contact attempts can be found in the Investigative Actions (Encl. 10A-F).

### **Findings and Recommendations**

#### **Allegations Not Pleaded**

- § 87(2)(g)  
[REDACTED]

#### **Allegation A – Abuse of Authority: PO Zeeshan Ahmed refused to provide his name and shield number to § 87(2)(b) and § 87(2)(b)**

Both § 87(2)(b) and § 87(2)(b) allege that § 87(2)(b) and § 87(2)(b) asked PO Ahmed several times for his name and shield number. While § 87(2)(b) claimed that PO Ahmed did not provide either his name or his shield number, § 87(2)(b) stated that PO Ahmed provided his name, but not his shield number. PO Ahmed confirmed that § 87(2)(b) asked him for his name and shield number, and stated that he pulled his collar toward § 87(2)(b) so § 87(2)(b) could see his nameplate and shield clearly. § 87(2)(g) Patrol Guide's requirement which states that, upon request, officers must state *or otherwise provide* their name and shield number (Encl. 1A). He did not recall interacting with a second man. PO Perez stated that none of the civilians asked PO Ahmed for his name and shield number. § 87(2)(g)

§ 87(2)(g)

**Allegation B – Discourtesy: PO Zeeshan Ahmed spoke rudely to § 87(2)(b) and § 87(2)(b)**

§ 87(2)(b) alleged that when she tried to explain to PO Ahmed that she was parked only temporarily in order to buy cigars, PO Ahmed told her, “I don’t care if you’re the fucking governor or the mayor” and that she was still going to get a summons. When § 87(2)(b) complained that PO Ahmed’s ticketing was driving § 87(2)(b)’s customers away, PO Ahmed told him, “I don’t give a fuck”. § 87(2)(b) also alleged that either PO Ahmed or PO Perez called one of the civilians a “fat pig” at some point during the incident. § 87(2)(b) was generally consistent regarding these remarks across her online complaint (filed within hours of the incident), her phone statement, and her sworn statement.

§ 87(2)(b) alleged that when § 87(2)(b) told him that she was only parked for a minute, PO Ahmed told her, “I don’t give a fuck if you’re the president or the mayor” and that she was still going to get a summons. Before driving away, PO Ahmed called § 87(2)(b) a “fat fuck”. § 87(2)(b) is corpulent and shied from stating his weight prior to giving his statement.

§ 87(2)(g)

§ 87(2)(g)

The NYPD Patrol Guide Procedure states in section 203-09 that members of the service must be “courteous and respectful” when in contact with the public (Encl. 1A). In the OATH Report and Recommendation No. 590/01, Judge Kramer ruled that police officers are “required to maintain a certain decorum and professionalism in their conduct,” their failure to do so being injurious to both the NYPD’s perception by the public and to its mission to serve and protect the public. Even in unexpected or volatile situations where officers are confronted with hostile and defiant individuals, officers must exercise restraint and good judgment (Encl.1B-1AA).

§ 87(2)(g)

---

Team: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date